

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT ALLEN STANARD,

Plaintiff,

v.

MARIA DY, *et al.*,

Defendants.

Case No. C19-1400RSM

MINUTE ORDER

The following MINUTE ORDER is made by direction of the Court, the Honorable Ricardo S. Martinez, United States District Judge: On April 5, 2024, Defendants filed a Motion to Dismiss, noted for consideration on May 10, 2024. Dkt. #52. Plaintiff failed to file a Response by May 6, 2024, the deadline per the prior local civil rule LCR 7(d)(3). Defendants filed a Reply pointing this out. Dkt. #53.

Under the local rules, the Court may consider failure to respond as an admission that the motion has merit. LCR 7(b)(2). However, on May 21, 2024, Plaintiff filed a Motion for Summary Judgment, in which Plaintiff does not mention any reason for failing to respond to Defendant's Motion to Dismiss. *See* Dkt. #54.

Considering all of the above, the Court DIRECTS Plaintiff to respond to Defendant's Motion to Dismiss no later than June 6, 2024. Defendants may file a Reply to Plaintiff's

1 Response no later than June 12, 2024. Failure to file a Response may result in dismissal. The  
2 Court further finds that Plaintiff's Motion for Summary Judgment is premature given the pending  
3 Motion to Dismiss and may be affected by any Court ruling. The Court therefore STRIKES  
4 Plaintiff's Motion for Summary Judgment, Dkt. #54. Plaintiff is free to refile this Motion if the  
5 Court does not grant Defendant's Motion to Dismiss.  
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8 DATED this 22nd day of May, 2024.

9 RAVI SUBRAMANIAN, Clerk

10 By: /s/ Martín J. Valencia  
11 Deputy Clerk  
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